Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 014 - 08124 - 0375 - 145 | Date: 09/03/2014 | Time: 0820

Location: [redacted] West 107th Street | City or Station: Los Angeles County

Bureau/Station/Facility: Central Patrol Division / South Los Angeles Station | Admin. Investigation: ○ YES ◉ NO

Type of Force: Control techniques, personal weapons, take-down, resisted handcuffing

Incident Category: ○ 1 ○ 2 ◉ 3 | Deputy Injury: ◉ YES ◉ NO | Suspect Injury ◉ YES ○ NO

☐ Call ☒ Observation ☐ Detail | ☐ Foot Pursuit ☐ Vehicle Pursuit

IAB Notified: ◉ YES ○ NO | Person Notified: Lt. Michael Berg | Emp: [redacted] | IAB Roll Out ◉ YES ○ NO

Involved Employee

E 1

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Velasco	Peter		DSG

Sex: ◉ M ○ F | Race: H | Height: 600 | Weight: 245 | Age: 37 | Shift: ○ EM ◉ Day ○ PM | ◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: South Los Angeles Station | Work Assignment (Unit #, Module, etc.): 31

Individual Force Used: control techniques, personal weapons, resisted handcuff | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○ 1 ○ 2 ◉ 3

☒ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

E 2

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Medina	Joe		DSG

Sex: ◉ M ○ F | Race: H | Height: 600 | Weight: 198 | Age: 42 | Shift: ○ EM ◉ Day ○ PM | ◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: South Los Angeles Station | Work Assignment (Unit #, Module, etc.): 31

Individual Force Used: prsnl weapons, cntrl tech, take-down, resisted handcuf | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○ 1 ○ 2 ◉ 3

☒ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

E

Employee #	Last Name	First Name	Middle I.	Rank

Sex: ○ M ○ F | Race: | Height: | Weight: | Age: | Shift: ○ EM ○ Day ○ PM | ○ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Individual Force Used: | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○ 1 ○ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

On Duty Supervisor

☐ Additional Involved Employees

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Sanchez	Robert		Sgt	YES ○ NO ◉	YES ○ NO ◉

Supervisor Completing Investigation

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Grote	Dinah	L.	Sgt	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp. #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]		Lt.

Watch Commander / Supervising Lieutenant's **Signature:** | Date | Copy Provided to Employee by: | Emp #:

Ronald Williams, Captain | [redacted]

Unit Commander **(Print Name)** | Unit Commander's **Signature:** | Emp #: | Date

DISCOVERY Use Only
FO#

☒ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

Supervisor's Report on Use of Force
SUSPECT INFORMATION

0 1 4 - 0 8 1 2 4 - 0 3 7 5 - 1 4 5

Suspect Information

S 1

Last Name: Newburn	First Name: Calvin	Middle Name:	Armed? Select: Not Armed
AKA Last Name:	First Name:	Middle Name:	

Sex	Race	Age	Height	Weight	D.O.B.	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
(●) Male ○ Female	B	43	510	200	01/05/71		

Street Address: [redacted] City: [redacted] State & Zip Code: [redacted], [redacted]

Booking #: 4082962 Primary Charge Code: 243(a)(2) P.C. Secondary Charge Code: 11350(a) H.S. ☒ Criminal History

Treated on Scene? (●) YES ○ NO Name: LA County Fire Dept. #14 Unit: Capt. Smitson Phone #: (323) 756-9900

Hospital Admission? ☒ Rec'd Treatment At: Centinela Hospital Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Dr. Mehran Baheri Address: 555 E. Hardy St., Inglewood, CA 90301 Phone #: (310) 673-4660

Under Influence: ○ YES (●) NO Substance: 5150 a factor in force? ○ YES (●) NO User's guide provides direction on this entry

Suspect Interview

Date: 09/03/14 Time: 0930 ☐ Audiotape: ☒ Videotape: ☒ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S_

Last Name:	First Name:	Middle Name:	Armed? Select:
AKA Last Name:	First Name:	Middle Name:	

Sex	Race	Age	Height	D.O.B.	Weight	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
○ Male ○ Female							

Street Address: City: State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ○ YES ○ NO By: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Address: Phone #:

Under Influence: ○ YES ○ NO Substance: 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Suspect Interview

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S_

Last Name:	First Name:	Middle Name:	Armed? Select:
AKA Last Name:	First Name:	Middle Name:	

Sex	Race	Age	Height	D.O.B.	Weight	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
○ Male ○ Female							

Street Address: City: State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ○ YES ○ NO By: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Address: Phone #:

Under Influence: ○ YES ○ NO Substance: 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Suspect Interview

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

0 1 4 - 0 8 1 2 4 - 0 3 7 5 - 1 4 5

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name		
Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift: ◯ EM ◯ Day ◯ PM	◯ Regular ◯ OT ◯ Off Duty		
Emp. #	Last Name	First Name	Middle Name		
Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift: ◯ EM ◯ Day ◯ PM	◯ Regular ◯ OT ◯ Off Duty		
Emp. #	Last Name	First Name	Middle Name		
Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift: ◯ EM ◯ Day PM	◯ Regular ◯ OT ◯ Off Duty		

Non-Employee Witnesses

Last Name [redacted]	First Name [redacted]	Middle Name	Age 64	D.O.B. [redacted]
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Phone #1 [redacted]	Phone #2
Last Name [redacted]	First Name [redacted]	Middle Name	Age 59	D.O.B. [redacted]
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Phone #1 [redacted]	Phone #2
Last Name [redacted]	First Name [redacted]	Middle Name	Age 38	D.O.B. [redacted]
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Phone #1 [redacted]	Phone #2
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Phone #1	Phone #2
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Phone #1	Phone #2
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Phone #1	Phone #2
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Phone #1	Phone #2
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Phone #1	Phone #2
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Phone #1	Phone #2

☐ **Additional Witness**

Supervisor's Report on Use of Force

0 1 4 - 0 8 1 2 4 - 0 3 7 5 - 1 4 5

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
S/Newburn	S	Velasco	E#1	RS	NN	
S/Newburn	S	Velasco	E#1	PO	NN	SH
Velasco	E#1	S/Newburn	S	PH	FR	FA
Medina	E#2	S/Newburn	S	PH	FR	FA
Medina	E#2	S/Newburn	S	TD	CP	SH, CH
S/Newburn	S	Velasco, Medina	E#1,E#2	UC	NN	
Velasco, Medina	E#1, E#2	S/Newburn	S	RH	NN	

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY
USE OF FORCE (FRACTURED RIGHT ORBITAL)
IAB# FO2364241

DIVISION / UNIT:	**Central Patrol / South Los Angeles Station**
DATE / TIME:	**Saturday, September 3, 2014, 0840 hours**
LOCATION:	**[redacted] 107th Street, Los Angeles, CA. 90440 (Public sidewalk)**
SUSPECT:	**Calvin Newburn, MB/43, DOB: 01/05/71, Booking #4082962**
INVOLVED PERSONNEL:	**Deputy Peter Velasco Jr., #[redacted], Unit 31, Days** **Deputy Joe Medina, #[redacted], Unit 31, Days**

On September 3, 2014, the Internal Affairs Bureau's Force and Shooting Response Team, which consisted of Lieutenant Michael Berg, Sergeants Dinah Grote and Dan Peacock, responded to South Los Angeles Sheriff's Station to conduct a Use of Force Review subsequent to learning the suspect in the incident suffered a fractured right orbital bone during contact with deputies. Attorney Catie Beltz of the Office of Independent Review was advised of the incident, but did not respond.

Sergeants Dinah Grote was assigned with the responsibility of the administrative review of the incident. On July 24, 2015, the case was re-assigned and Sergeant Peacock was tasked with completing the review.

Upon their arrival, they learned Deputies Velasco and Medina were involved in a use of force with Suspect Calvin Newburn. The Deputies detained Suspect Newburn for expired registration on his vehicle (07-02-14). During their detention, Suspect Newburn exited his vehicle and was holding a newspaper in one hand and two amber colored prescription bottles in the other hand. Suspect Newburn failed to answer several investigative questions and the deputies asked him to place his property on the hood of the radio car. After continuing to be mute and failing to place the items on the hood, Deputy Velasco placed his hands near the elbows of both arms of Suspect Newburn to conduct a pat down search for weapons.

Suspect Newburn immediately turned to his left and attempted to flee the location with his property still in his hands. Deputy Velasco grabbed the back of his shirt as Suspect Newburn approached a small chain link fence. Deputy Velasco grabbed Suspect Newburn's left shoulder to keep him from scaling the fence and fleeing. Suspect Newburn elbowed Deputy Velasco in his chest area and simultaneously threw the prescription bottles into a neighboring yard. Deputy Medina struck Suspect Newburn in the facial area with his fist and gave him numerous commands to stop fighting and to stop resisting. Deputy Velasco also struck Suspect Newburn with his fist on his left facial area while giving him commands to stop fighting. Deputy Medina conducted a take-down of Suspect Newburn. Suspect Newburn continued to kick his legs and flail his arm at the deputies. Deputy Medina struck Suspect Newburn once more on the left side of his face. This strike appeared to affect the suspect and he rolled onto his back. After Suspect Newburn resisted handcuffing for several seconds, the deputies were able to safely handcuff Suspect Newburn without further incident.

Suspect Newburn was treated for his injuries at the scene by Los Angeles County Fire Paramedics and eventually transported to Centinela Hospital via ambulance and assisting deputies.

Deputies Velasco documented the incident and his actions in a complaint report under Uniform Report Number #014-08124-0375-145. Deputy Medina wrote a supplemental report documenting his use of force under the same file number. These reports are included in this case book and are referred to as **Exhibits B and H**.

SYNOPSIS:

On September 3, 2014, at approximately 0840 hours, Deputies Peter Velasco and Joe Medina (Unit 31B) were driving northbound on Budlong Avenue and observed a vehicle (Silver Cadillac, CA Lic. #[redacted]) stopped in the middle of the street, blocking traffic. There were two male black adults standing in the street, talking to the driver of the vehicle. The vehicle also had expired registration. As the deputies passed the stopped vehicle, the two men quickly walked away and the vehicle drove south on Budlong Avenue. The deputies observed the vehicle as it turned onto 107th Street and stopped in front of [redacted] The deputies drove to the vehicle to make contact with the driver. The driver/suspect exited the car and walked along the sidewalk.

The deputies exited their car to contact the driver (Suspect Calvin Newburn). They saw the suspect holding two amber-colored prescription medication bottles in his right hand. They asked the suspect if the bottles contained medication and if the bottles belonged to him. Newburn did not reply. Newburn also refused to place the bottles on the hood of the radio car, per the deputies' request. The deputies detained Newburn for a possible narcotics investigation.

When Deputy Velasco attempted to grasp Newburn's elbows/arms, Newburn turned to his left and began to run. Deputy Velasco grabbed the bottom of Newburn's shirt to stop

his flight. Newburn tried to climb a short chain link fence next to the sidewalk. Deputy Velasco pulled Newburn off of the fence. Newburn swung his elbow at Deputy Velasco, striking Deputy Velasco in the shoulder, and Newburn threw the prescription bottles into the yard at [redacted].

Deputy Medina punched Newburn three times on the right side of the face with his right fist. Both deputies ordered Newburn to stop fighting. Deputy Velasco punched Newburn in the face twice with his right fist. Deputy Velasco made an emergent radio broadcast via his handheld radio, indicating they were involved in a fight (see transcript of emergent radio traffic included in this case book, referred to as **Exhibit A**). The deputies took Newburn to the ground on the sidewalk and Newburn continued to resist while trying to escape. Deputy Medina again punched Newburn once on the left side of his face. The deputies utilized control holds to restrain and handcuff the suspect. Assisting deputies arrived after the suspect was secured. Field Sergeant Robert Sanchez responded to the scene.

Deputies requested paramedics to provide medical treatment to Newburn. Los Angeles County Fire Department Engine 14 arrived and treated the suspect.

The two prescription bottles thrown by the suspect were recovered and booked as evidence. One bottle contained marijuana and the other bottle contained 120 hydrocodone pills. Neither bottle was listed in the name of the suspect.

Suspect Newburn was transported via ambulance to Centinela Hospital where he was treated by Emergency Room Physician M. Baheri. X-rays revealed Newburn sustained a fracture to his right orbital bone. Doctor Baheri described the injury as being consistent with the reported force.

Following treatment, Newburn was transported to Inmate Reception Center for booking. He refused to speak with station detectives or IAB investigators. Internal Affairs Bureau investigators responded to South Los Angeles Station and conducted a force investigation. Internal Affairs Bureau was given a video of civilian interviews at the scene, photos of the scene and radio traffic by Detective Bureau Sergeant Meehan.

The Office of Inspector General was notified of the incident by IAB and declined to respond.

INVOLVED PERSONNEL/WORK HISTORY:

VELASCO JR., PETER

Deputy Sheriff, Employee #[redacted]
Central Patrol Division/South Los Angeles Station - Patrol

Date of Employment: 02/06/2006

Date assigned to SLA: 03/21/2010
Completed Patrol Training: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incident(s): [redacted]

MEDINA, JOE L.

Deputy Sheriff, Employee #[redacted]
Homeland Security Division/Aero Bureau

Date of Employment: 12/02/1999
Date assigned to SLA: 05/20/2007
Completed Patrol Training: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incident(s): [redacted]

NON-EMPLOYEE WITNESSES:

[redacted], [redacted], FB/64, DOB: [redacted]

[redacted], [redacted], MB/59, DOB: [redacted]

[redacted], [redacted], MB/38, DOB: [redacted]

SUSPECT INFORMATION:

NEWBURN, CALVIN, MB/43, DOB: 01/05/71, 510, 200 lbs., Booking #4082962.
[redacted], [redacted], [redacted]
Home telephone: [redacted].

CII #[redacted], MAIN #[redacted], FBI #[redacted].

A check of CCHRS/CII (Consolidated Criminal History Reporting System/Criminal Information Index) revealed that Suspect Calvin Newburn had [redacted]. For further, refer to a copy of Suspect Newburn's Booking/Property records and his CCHRS/CII printouts, presented in the **Miscellaneous Documents** section of this case book

INJURIES:

Deputy Velasco complained of pain and swelling to his right hand.

Deputy Medina complained of pain and swelling to his right hand.

IAB Note: **The above injuries were photographed and documented by Sergeant Healey on the Department's Employee Injury forms, which were submitted to the South Los Angeles Station Operations' staff. Refer to the CD's and printed photographs of the deputies' injuries, presented as Exhibits G and J, in this casebook.**

Suspect Calvin Newburn sustained a fractured right orbital and complained of pain to his jaw and both shoulders. Refer to photographs of Suspect Newburn's injuries, presented as **Exhibit M** in this case book.

Refer to the supplemental reports regarding the transportation and medical treatment of the suspects, presented as **Exhibits L and O**, in this case book.

PHYSICAL EVIDENCE:

Two amber colored pill bottles were recovered from the front yard west of the location ([redacted]). One pill bottle contained approximately 120 pills of Hydrocodone and the other contained a green leafy substance resembling marijuana. Also, photographs were taken of the evidence and the locations where they were recovered. For further, refer to the evidence, presented as **Exhibits D and E** in this case book.

INVESTIGATORS' OBSERVATIONS:

The scene was not held by the personnel from South Los Angeles Station due to the fact the area was deemed unsafe due to the hostile residents and environment.

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Velasco used a control technique by pulling on the back of Suspect Newburn's shirt and left shoulder to stop him from jumping over a fence. Deputy Velasco then punched Suspect Calvin Newburn two times on the left side of his face after he was assaulted by Suspect Newburn. Once on the ground, Suspect Newburn did not follow orders by deputies to stop resisting and resisted handcuffing by Deputy Velasco.

Deputy Medina used personal weapons by punching Suspect Newburn on the right side of his face three times. He conducted a take-down on Suspect Newburn and used control techniques on his right arm in an attempt to handcuff him. While on the ground, Suspect Newburn was resistive and uncooperative to their demands. Deputy Medina again struck Suspect Newburn on the left side of his face. Suspect Newburn was resistive to being handcuffed.

WEAPONS USED BY THE SUSPECT:

Suspect Calvin Newburn was uncooperative, resistive, and assaulted Deputy Velasco with an elbow strike to his chest. Suspect Newburn also attempted to flee while being detained by the deputies. He was resistive, assaultive and uncooperative up until being handcuffed.

PROPERTY DAMAGE:

None.

CRIMINAL INVESTIGATION CHARGES:

Investigator's Name:	SLA Station Detective John Silverstein #[redacted]
Court:	Inglewood Court
Charges Filed:	243 (b) PC, 11350 (a) HS, and 148 (a) (1) PC
DA Case Number:	YA091138

On September 11, 2014, Detective Silverstein submitted the complaint and the above charges were filed by Deputy District Attorney Cynthia Fiedler. For further, refer to Detective Silverstein's supplemental report, attempt to locate witnesses, and the criminal complaint filing located in this case book and referred to as **Exhibits R, S, and U**.

LIGHTING AND WEATHER CONDITIONS:

It was daylight hours, semi-cloudy and warm.

INVOLVED EMPLOYEES' STATEMENTS:

DEPUTY PETER VELASCO #[redacted]:

*On January 27, 2015, at approximately 1028 hours, Deputy Peter Velasco Jr. was interviewed by IAB Sergeant Dinah Grote at the Internal Affairs office. Deputy Velasco was represented by Attorney Amanda Waters from Green & Shinee. Precise wording may be obtained by reviewing the digitally audio recorded interview located in IAB's audio files, and/or the verbatim transcripts presented under the **Transcriptions-Involved Employees**, section of the casebook.*

Deputy Peter Velasco stated he was working in a black and white patrol unit with Deputy Joe Medina. He was the bookman and Deputy Medina was the driver. Deputy Medina drove northbound on Budlong Avenue at 107th Street. He stated the residential community had a high crime rate which included shootings, narcotics and gang activity from several Hispanic and Black gangs, such as; the Hoover Criminals, Junior Mafia, Evil Clan, Southside Loco's, and some Southsiders.

As Deputy Medina drove north of 107th Street, Deputy Velasco saw a silver vehicle stopped in the southbound lane of Budlong Avenue, blocking southbound traffic, approximately two to three car lengths north of their patrol car. Deputy Velasco saw a male seated in the driver's seat, and sole occupant of the vehicle.

Another male was leaning against the passenger's side door and open window of the silver vehicle. He appeared to be talking the driver of the silver vehicle. A third male stood outside a residential gate located on the west side of the street, adjacent to the stopped vehicle.

Deputy Medina slowly drove northbound toward the stopped silver vehicle. Deputy Velasco saw the third male, who stood by the gate and saw the patrol car, turn around and immediately go inside the gate. The male who stood outside the passenger's side door, immediately walked towards the gate. Deputy Velasco asked Deputy Medina to give him the front license plate number as they passed the vehicle, while he (Velasco) watched the males.

Deputy Velasco entered the license plate number that Deputy Medina gave him into the Mobile Digital Computer (MDC). As the deputies approached 106th Street, the license plate number returned as having expired registration, so Deputy Velasco told Deputy Medina to stop the vehicle/driver.

Deputy Medina then told Deputy Velasco the vehicle turned westbound onto 107th Street, so Deputy Medina turned westbound onto 106th Street. As they passed a north-south alleyway on 106th Street, Deputy Velasco looked southbound into the alleyway and saw the silver vehicle traveling northbound in the alleyway from 107th Street.

Deputy Velasco turned westbound (left) on 106th Street. As Deputy Medina drove toward Vermont Avenue, Deputy Velasco looked southbound down a north-south alleyway between 106 and 107th Streets, and saw the silver vehicle driving northbound in the alleyway from 107th Street. The vehicle immediately stopped, then started to drive in reverse (southbound) in the alleyway.

Deputy Velasco advised Deputy Medina of the vehicle, so Deputy Medina made a U-turn on 106th Street and drove southbound through the alleyway. When Deputy Medina reached 107th Street, they saw the vehicle was west of the alleyway and had stopped on the north side of the street.

Deputy Medina drove toward the silver vehicle. When he was approximately 40-50 feet from the vehicle, the male driver exited the driver's door and walked eastbound around his vehicle, and then turned in a northeast direction toward the north sidewalk.

Deputy Medina stopped the patrol vehicle approximately 15-25 feet from the silver vehicle, facing westbound and off-set from the silver vehicle. Deputy Velasco then exited the front passenger's side door of the patrol car and contacted the male (Suspect Newburn) in the street, prior to him getting onto the curb line.

Deputy Velasco asked Suspect Newburn if the vehicle was his and he responded that is was. As Deputy Velasco asked Suspect Newburn questions about the vehicle registration, he noticed the suspect held a folded newspaper and two prescription bottles in his right hand. Deputy Velasco asked him if he had a driver's license, which the suspect replied that he did. Deputy Velasco then told Suspect Newburn to walk to his patrol vehicle.

Suspect Newburn was cooperative. He turned and walked to the passenger's side of the patrol vehicle near the hood. Deputy Velasco then saw Deputy Medina standing at the front hood area of the patrol car.

Deputy Medina then asked the suspect if the medications were his and requested the suspect to place them on the hood of the patrol car. Because Deputy Medina had engaged in conversation with the suspect, Deputy Velasco did not want to ask the suspect any questions and stood behind the suspect, off-set to the suspect's right side.

The suspect did not respond to Deputy Medina's questions, but Deputy Medina moved to the left side (east) of the suspect. Deputy Velasco decided to do a quick pat-down of the suspect for weapons and retrieve his wallet to check his license status.

Deputy Velasco told Suspect Newburn to place his hands behind his back. Simultaneously, Deputy Velasco placed his hands on either sides of the suspect's bicep/triceps area and started to slide his hands downward on the suspect's arms. As Deputy Velasco's hands reached the suspect's elbow area, Suspect Newburn immediately turned his body to the left and pulled away from Deputy Velasco's hands.

Suspect Newburn began to take steps and run northbound toward the sidewalk. Within the first one to two steps taken by Suspect Newburn, Deputy Velasco immediately turned toward the suspect and with his left hand, he reached out and grabbed onto the bottom portion of the suspect's t-shirt and yelled at the suspect to stop.

Since the suspect had pulled away before being searched, Deputy Velasco was uncertain if the suspect was armed or the reason for him running away from them (deputies).

Suspect Newburn still maintained possession of the newspaper and prescription bottles in his hand as he continued to run northbound on the sidewalk. Deputy Velasco continued to pull on the suspect's t-shirt, following behind the suspect yelling at him to stop.

On the north side of the sidewalk, Suspect Newburn slammed into a chain link fence, which surrounded the perimeter of the residence. He attempted to jump the approximate four foot fence, but Deputy Velasco closed the distance and grabbed his left shoulder with his right hand. Deputy Velasco was attempting to control the suspect's motion while holding onto his shirt and shoulder. Suspect Newburn turned toward his left side and struck Deputy Velasco with his (Newburn's) left elbow. Deputy Velasco was struck in the chest/left shoulder area. Deputy Velasco said he saw Suspect Newburn about to strike him and he pulled his upper body backwards in an attempt to dodge the blow.

Immediately after striking Deputy Velasco, Suspect Newburn threw the items he was holding in his hands in a westerly direction and into an adjoining yard. Deputy Velasco continued to give commands for Suspect Newburn to stop resisting and to give him his hands. After seeing his partner get assaulted and standing to the right of Deputy Velasco, Deputy Medina immediately struck Suspect Newburn on the right side of his face with his right fist, two to three times. At that point, Deputy Velasco was attempting to grab Suspect Newburn's hands and control them. Deputy Medina was also giving verbal commands to the suspect

Due to the fact Suspect Newburn was now combative toward the deputies, and was resistive and not cooperating, Deputy Velasco also hit Suspect Newburn on the left side of his face, with his fist, approximately two times. Knowing they (deputies) were involved in a fight, Deputy Velasco knew he needed to broadcast the incident on his portable radio and request assistance. While doing that, he was still attempting to control Suspect Newburn's left arm/hand.

IAB Note: **A CD containing the emergent radio transmissions by Deputy Velasco is included in this case book and is referred to as Exhibit A. The radio transmission was transcribed and is included in Exhibit A.**

Deputy Velasco saw Deputy Medina place both of his hands on the suspect's shoulders while standing behind him. Deputy Medina then pulled the suspect backwards and drug him back to the ground, landing on the sidewalk on his right side. Deputy Velasco indicated the take down was not a slam onto the ground, but more like guiding Suspect Newburn. Deputy Velasco was attempting to coordinate assisting units on the radio while still focusing on the suspect in front of him.

Once on the ground, Deputy Velasco stated Suspect Newburn landed on his right side, with his right arm under his body, facing the fence of the location. Deputy Velasco saw Deputy Medina near the shoulder area of Suspect Newburn and he was kneeled down near his legs. Suspect Newburn kicked his legs in an upward motion and turned his body to the left, now lying on his back, and pushed his arms upwards in an attempt to get to his feet. Both deputies were still giving verbal commands for him to stop resisting and to give them his hands.

Deputy Velasco saw Deputy Medina strike the suspect on the left side of his face with his fist. Suspect Newburn turned his body to the right and now was lying on his stomach. Deputy Velasco then saw Medina had handcuffed the suspect's right wrist and had his right arm behind his back. Deputy Velasco was still attempting to direct assisting units to his location and simultaneously trying to control the suspect's left arm/hand.

Deputy Velasco placed his right knee on the small of the suspect's lower back in an attempt to restrict his movements. He continued to tell the suspect to give him his left arm, which was extended above his head. Deputy Velasco was able to grab the suspect's left wrist with his left hand and his right forearm with his right hand. Deputy Velasco was able to guide the suspect's left arm behind his back and mentioned he was still resisting his efforts and struggling. Once Suspect's Newburn's left arm was behind his back, Deputy Velasco assisted Deputy Medina in securing the handcuff to it.

Deputy Velasco said he carried pepper spray on his duty belt, but did not use it because the suspect immediately became assaultive towards them. Deputy Velasco said he had a Taser assigned to him, but it was located in his radio car, as he did not have a holster to carry it on his belt.

Once handcuffed, assisting deputies arrived and assisted Suspect Newburn to his feet and escorted him to a nearby radio car. Suspect Newburn was seen by Los Angeles County Paramedics for his injuries and transported to Centinela Hospital.

After the suspect was transported to the hospital, Deputies Velasco and Medina canvassed the immediate area to look for witnesses to the incident, but no one came forward. South Los Angeles Station Field Sergeant, Sergeant Robert Sanchez, arrived on scene. Deputy Velasco immediately reported his use and witnessing of force.

Deputy Velasco was asked by IAB Investigators if he struck the suspect with his fist or any other objects while they were on the ground, after the suspect was handcuffed. Deputy Velasco stated he did not strike the suspect at any time while they were on the ground. He was also asked if he punched the suspect while on the ground with both hands. He also replied no to that question.

Deputy Velasco stated he was not injured when he was struck in the chest by Suspect Newburn. Deputy Velasco said the entire incident from the initial contact until the suspect was handcuffed was no longer than two minutes. During his interview, Deputy Velasco

drew a diagram of the scene to indicate their location during the incident. The diagram is included in this case book and is referred to as **Exhibit F.**

DEPUTY JOE MEDINA, #[redacted]:

On January 27, 2015, at approximately 1147 hours, Deputy Joe Medina was interviewed by IAB Sergeant Dinah Grote at the Internal Affairs office. Deputy Medina was represented by Attorney Amanda Waters from Green & Shinee. Precise wording may be obtained by reviewing the digitally audio recorded interview located in IAB's audio files, and/or the verbatim transcripts presented under the ***Transcriptions-Involved Employees****, section of the casebook.*

Deputy Joe Medina stated he was working in a black and white patrol unit with Deputy Velasco, who was his regular partner, in the Vermont area. He was the driver and Deputy Velasco was the book man. Deputy Medina drove northbound on Budlong Avenue at 107th Street. Deputy Medina saw a car blocking traffic southbound on Budlong, north of 107th Street. The vehicle was stopped in the southbound traffic lanes. Deputy Medina saw there was a male and sole occupant, sitting in the driver's seat. He also saw there were two male black adults standing outside of the vehicle, talking to the driver. As soon as the males saw the radio car approaching, they walked away and distanced themselves from the vehicle. Deputy Medina read the front license plate off to Deputy Velasco as they passed and Velasco ran the plate on the Mobile Digital Computer (MDC). The plate returned as having expired registration.

Deputy Medina drove eastbound 106th Street as he saw the silver vehicle turn eastbound on 107th Street. Deputy Medina looked north through an alleyway and saw the silver vehicle coming southbound through the same alley. The silver vehicle then stopped and began to back up. Deputy Medina made a U turn and turned southbound into the alley in an attempt to catch the vehicle to conduct a traffic stop. The deputies drove south through the alley and approached 107th Street. Deputy Medina saw the silver vehicle had parked on 107th Street, facing west. While approaching the vehicle, Deputy Medina saw a male black exit the driver's door of the vehicle, walk back towards the trunk, and approach the north sidewalk.

Deputy Medina stopped their radio car approximately 10 feet behind the silver vehicle. He and Deputy Velasco exited the radio car and contacted the male black (later identified as Suspect Newburn). Deputy Velasco made contact with Suspect Newburn as Deputy Medina walked around the front of the radio car. Deputy Medina heard Deputy Velasco ask Suspect Newburn if the silver car was his and if it was registered. Deputy Velasco asked Suspect Newburn to walk to the hood of the radio car on the passenger side. Deputy Medina saw the suspect was holding two amber colored prescription bottles in his right hand. Once the suspect approached the hood, Deputy Medina stood on the suspect's left side.

Deputy Medina asked Suspect Newburn about the prescription bottles and if they belonged to him. Suspect Newburn did not answer him. Deputy Medina then asked the suspect to place the bottles onto the hood of the radio car. The suspect did not comply and just stood there. Deputy Velasco moved directly behind Suspect Newburn, placed both of his hands onto the elbow area of the suspect's arms and ordered him to place his hands behind his back.

As Deputy Velasco slid his hands down toward the hands of the suspect, Suspect Newburn immediately turned to his left and began to run towards the north sidewalk. Deputy Medina saw his partner had a hold on the suspect's shirt with his hands and was pulling back on it. Suspect Newburn approached a small chain link fence and attempted to jump it. Deputy Medina followed behind his partner and the suspect. At the fence, Deputy Medina was on the right side of the suspect.

Deputy Medina saw Suspect Newburn swing his left elbow toward Deputy Velasco's head/chest area. Deputy Medina saw Deputy Velasco's head snap back, but did not know if he had been struck by the suspect. After seeing his partner get assaulted, Deputy Medina struck Suspect Newburn on the right side of his face, three times, with his fist. Deputy Medina said he intended to stop the assault from Suspect Newburn and to disorient him so they could gain control of the suspect's arms and handcuff him. Deputy Medina said he was also giving the suspect commands to stop fighting and to stop resisting.

Deputy Medina said his punches did not have any effect on the suspect as he continued to resist their efforts to control his arms. Deputy Medina heard Deputy Velasco broadcast emergent radio traffic on his radio, advising they were involved in a fight. Suspect Newburn turned his body to the left, toward Deputy Velasco, and began to flail his arms.

Deputy Medina grabbed the suspect near his shoulder area from behind with both of his arms. Deputy Medina then pulled back on the suspect's shoulder area, toward him. Deputy Medina stepped back and pulled Suspect Newburn to the ground. Suspect Newburn landed onto the ground, lying on his right side, directly below the fence.

Deputy Medina was standing near Suspect Newburn's head/shoulder area as the suspect began to kick his legs and flail his arms around. Deputy Medina attempted to control his arms from his location as Suspect Newburn attempted to get up by pushing his body up with his hands and legs. Suspect Newburn eventually laid on his back and was continuously flailing his arms toward the deputies, Deputy Medina then hit the suspect one time on the left side of his face with his fist.

Deputy Medina said his punch appeared to have stunned the suspect and he stopped flailing his arms. Within a split second, Suspect Newburn then immediately turned his body and laid on his stomach. Deputy Medina immediately placed his right knee onto the suspect's right bicep area and grabbed his right wrist. Deputy Medina was able to control his right arm long enough to place a handcuff on his right wrist. Deputy Medina saw the

suspect had his left arm above his head area and was moving it around. Both Deputies Medina and Velasco are continued to give Suspect Newburn verbal commands to stop resisting.

Deputy Velasco grabbed the suspect's left wrist and brought it behind his back. Deputy Medina was then able to safely place the handcuff on his left wrist without further incident.

Once handcuffed, assisting deputies arrived and assisted Suspect Newburn to his feet and escorted him to a nearby radio car. Deputy Medina stated residents began to exit their houses and yelled obscenities at them. Suspect Newburn was seen by Los Angeles County Fire Department Paramedics for his injuries and was transported to Centinela Hospital.

Deputy Medina was asked by IAB Investigators if he struck the suspect with his fist or any other objects while they were on the ground, after the suspect was handcuffed. Deputy Medina stated he did not strike the suspect at any time after he was handcuffed and admitted to striking the suspect once in the face while he was lying on the ground. He was also asked if he punched the suspect continuously while on the ground with both hands. He also replied no to that question.

Deputy Medina indicated from the time Suspect Newburn attempted to run away from the deputies, to when he was handcuffed, the suspect did not say anything and remained silent. Deputy Medina estimated the entire struggle lasted approximately 15 seconds. Deputy Medina said he and Deputy Velasco immediately canvassed the area to contact any witnesses to the incident. Deputy Medina stated all of the residents they contacted stated they did not see or hear anything.

SLA Field Sergeant Sanchez arrived shortly after and Deputy Medina reported his use of force to him.

Deputy Medina said he carried pepper spray on his duty belt but did not use it because the suspect immediately became assaultive towards them. Deputy Medina said he and his partner were too close in proximity to the suspect for the OC Spray to be effective. He also mentioned, if OC Spray was used, they might have been affected by it and did not want that to happen during a fight. Deputy Medina said Deputy Velasco was assigned a Taser, but it was located in the radio car, as he did not have a holster to carry it on his belt.

During his interview, Deputy Medina drew a diagram of the scene to indicate their location during the incident. The diagram is included in this case book and is referred to as **Exhibit I.**

SUSPECT STATEMENTS:

SUSPECT CALVIN NEWBURN:

On September 3, 2014, at approximately 0930 hours, South Los Angeles Station Sergeant Alan Healey interviewed Suspect Calvin Newburn at Centinela Hospital in the city of Inglewood. Below is a summary of the interview. Precise wording may be obtained by reviewing the digitally audio recorded interview located in IAB's audio files and/or the verbatim transcripts located under the ***Transcriptions-Suspects*** *section of this case book.*

IAB Note: On May 26, 2015, Sergeant Grote appeared in court on case #YA091138. Suspect Newburn was present with his Public Defender, Attorney Haaris Syed. Sergeant Grote contacted Mr. Syed and asked if his client, Suspect Newburn, wanted to be interviewed by IAB Investigators regarding the force case. Mr. Syed advised Sergeant Grote he would ask Suspect Newburn and get back to her. As of this date, no call has been received by Suspect Newburn or Mr. Syed to set up an interview date.

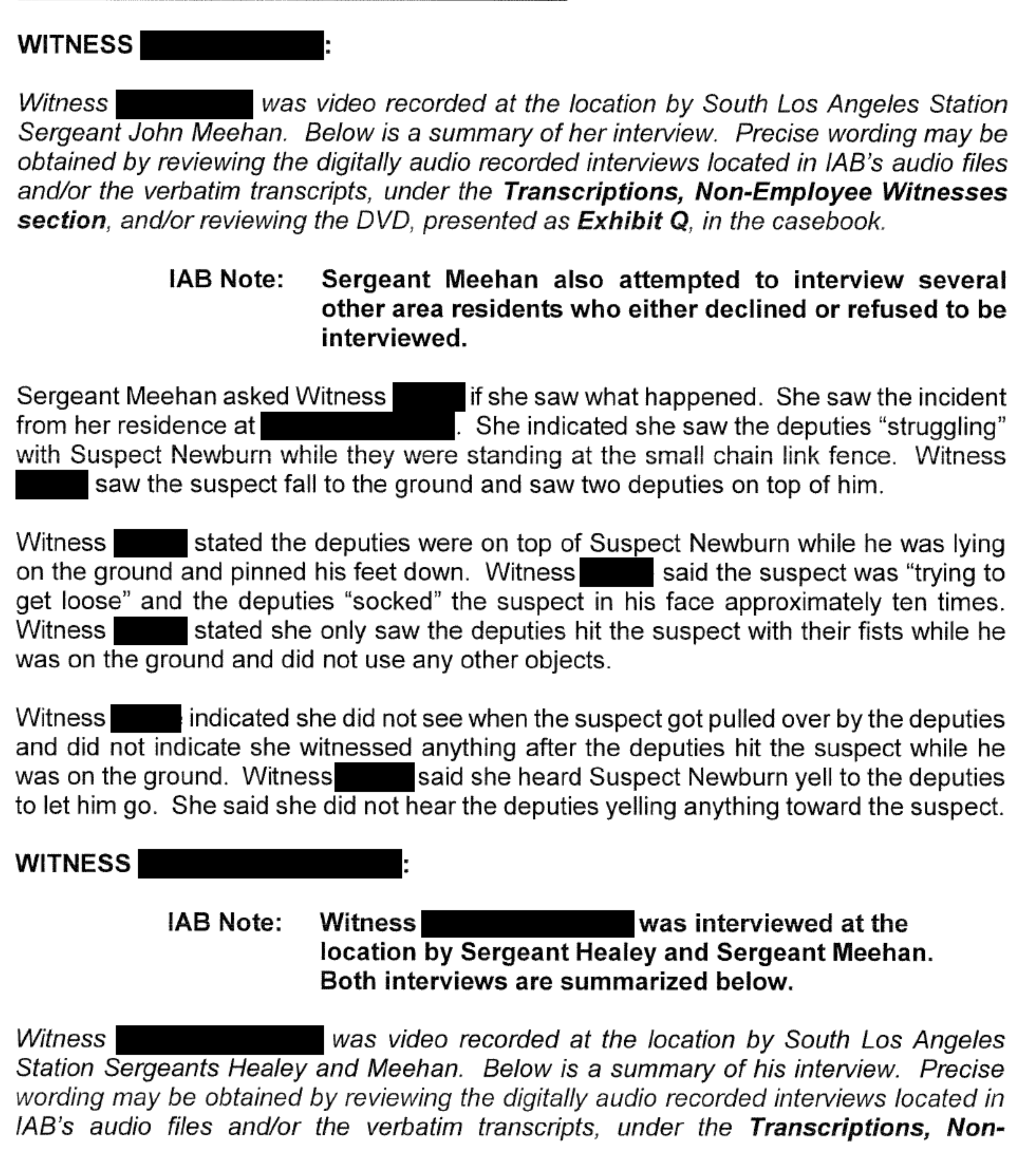
Suspect Newburn stated he did not remember what happened to him when asked by Sergeant Healey. He then told him he was beat up. He was asked to detail his day from the time he woke up. Suspect Newburn stated he woke up at approximately 0830 hours. He entered his silver Cadillac and drove to the liquor store at the corner of 106th Street and Vermont Avenue. He said he was going to see a friend that lived on 107th Street. Suspect Newburn said he remembered being stopped by deputies and being "socked" in his eye.

Suspect Newburn stated he stopped his car on 107th Street and exited. He was then contacted by the deputies as he was walking toward the sidewalk with the newspaper in his hand. The deputies asked him if the silver car belonged to him. He replied it did. The deputies then asked if the vehicle was registered and he told them it was not. The deputies then asked him for his driver's license and he asked the deputies what he did wrong and why they were stopping him.

Suspect Newburn said he was retrieving his driver's license when he was suddenly hit by one of the deputies and he went to the ground. Suspect Newburn indicated he did not do anything to warrant being hit by the deputy. Suspect Newburn was asked if he hit one of the deputies and he said he did not.

Suspect Newburn admitted to smoking marijuana earlier that morning and indicated he had a medical marijuana card. Suspect Newburn told Sergeant Healey his head, neck and shoulders were hurting and sore.

Suspect Newburn stated he did not hit the deputies or run from them. He was adamant the deputies did not see him driving his car or see him exit his car when he parked on 107th Street.



NON-EMPLOYEE WITNESSES STATEMENTS:

WITNESS [redacted]:

*Witness [redacted] was video recorded at the location by South Los Angeles Station Sergeant John Meehan. Below is a summary of her interview. Precise wording may be obtained by reviewing the digitally audio recorded interviews located in IAB's audio files and/or the verbatim transcripts, under the **Transcriptions, Non-Employee Witnesses section**, and/or reviewing the DVD, presented as **Exhibit Q**, in the casebook.*

> **IAB Note: Sergeant Meehan also attempted to interview several other area residents who either declined or refused to be interviewed.**

Sergeant Meehan asked Witness [redacted] if she saw what happened. She saw the incident from her residence at [redacted]. She indicated she saw the deputies "struggling" with Suspect Newburn while they were standing at the small chain link fence. Witness [redacted] saw the suspect fall to the ground and saw two deputies on top of him.

Witness [redacted] stated the deputies were on top of Suspect Newburn while he was lying on the ground and pinned his feet down. Witness [redacted] said the suspect was "trying to get loose" and the deputies "socked" the suspect in his face approximately ten times. Witness [redacted] stated she only saw the deputies hit the suspect with their fists while he was on the ground and did not use any other objects.

Witness [redacted] indicated she did not see when the suspect got pulled over by the deputies and did not indicate she witnessed anything after the deputies hit the suspect while he was on the ground. Witness [redacted] said she heard Suspect Newburn yell to the deputies to let him go. She said she did not hear the deputies yelling anything toward the suspect.

WITNESS [redacted]:

> **IAB Note: Witness [redacted] was interviewed at the location by Sergeant Healey and Sergeant Meehan. Both interviews are summarized below.**

*Witness [redacted] was video recorded at the location by South Los Angeles Station Sergeants Healey and Meehan. Below is a summary of his interview. Precise wording may be obtained by reviewing the digitally audio recorded interviews located in IAB's audio files and/or the verbatim transcripts, under the **Transcriptions, Non-***

Employee Witnesses *section, and/or reviewing the DVD'S, presented as* ***Exhibits P and Q****, in the casebook.*

SERGEANT HEALEY INTERVIEW OF [redacted]

Witness [redacted] lived at [redacted]. He said he heard "commotion" coming from outside his residence and exited. Once he exited, he saw the deputies in front of [redacted] 107th Street. The deputies had a male black (suspect) against the fence and they were "socking" him in the back of his head. Witness [redacted] said the suspect had his hands behind his back while the deputies were hitting him. Witness [redacted] indicated he did not see what happened prior to the deputies holding the suspect near the fence. The suspect fell to the ground and the deputies jumped on top of him.

Witness [redacted] said the suspect was lying face down and the deputies hit him in the head approximately 10-15 times. Witness [redacted] indicated the suspect was not fighting back. Witness [redacted] stated he never saw the suspect strike the deputies.

SERGEANT MEEHAN INTERVIEW OF [redacted]

Witness [redacted] indicated he exited his residence located at [redacted] Witness [redacted] said the suspect was standing at the fence with his back towards the deputies when he was "socked" in the back of the head by "the bald headed fool" (Deputy Velasco). Witness [redacted] then indicated they were all on the ground on the sidewalk and "they was beatin him, beatin him, beatin him" (indicating the suspect was being punched in the back of the head by the deputies).

Witness [redacted] then said Deputy Velasco got up and Deputy Medina continued to hit the suspect in the back of the head while he (Suspect Newburn) was still lying on the ground with his face buried in the grass. Witness [redacted] said he saw Deputy Medina hit the suspect "close to at least about 20 times". Witness [redacted] said he did not see the deputies strike the suspect with any other objects, other than their fists.

Witness [redacted] Saw Deputy Velasco had his knee on the back of Suspect Newburn and handcuffing him. While that was happening, Deputy Medina was hitting the suspect in the back of the head. Witness [redacted] indicated he did not hear the deputies giving commands or hear Suspect Newburn yelling anything.

WITNESS [redacted]:

Witness [redacted] was video recorded at the location by South Los Angeles Station Sergeant Healey. Below is a summary of his interview. Precise wording may be obtained by reviewing the digitally audio recorded interviews located in IAB's audio files and/or the verbatim transcripts, under the ***Transcriptions, Non-Employee Witnesses*** *section, and/or reviewing the DVD, presented as* ***Exhibit P****, in the casebook.*

Witness [redacted] stated he was inside of his residence located at [redacted]. He was seated at the breakfast table. His [redacted] told him Suspect Newburn was outside with the deputies. Witness [redacted] said once he got outside of his residence, he observed Suspect Newburn standing near the fence with his hands on it. He saw Deputy Velasco hitting Suspect Newburn on the head and saw Deputy Medina pulling him backwards by his shoulders.

Witness [redacted] then saw the suspect lying on the ground, face down, and the deputies handcuffed him. Witness [redacted] then saw Deputy Velasco continue to hit Suspect Newburn in the head.

IAB Note: **Witness [redacted] identified the deputies as he was being videotaped by Sergeant Healey. As Witness [redacted] identified which action the deputies were doing, Sergeant Healey panned the camera to show which deputy Witness [redacted] was referring to.**

Witness [redacted] indicated the only movements Suspect Newburn was doing was turning his head from side to side, attempting to not get hit in the face by the deputies, as he was handcuffed behind his back and lying on the ground.

IAB Note: **After interviewing, and attempting to interview, several witness at the location, Sergeant Meehan placed the video camera on the ground in front of [redacted] 107th Street where the altercation took place, and where the suspect's head would have been. Sergeant Meehan pointed the camera back toward [redacted] where all of the witnesses lived and stated they saw the incident from. See DVD in Exhibit Q for viewing angles of witnesses.**

MISCELLANEOUS SECTION:

Internal Affairs Sergeant Dinah Grote was subpoenaed to "must appear" at Inglewood Court on May 26, 2015. On that date, Sergeant Grote provided testimony to the judge about IAB's procedures regarding this force investigation, and the estimated time of completion. *For further, refer to the subpoena, which is located in the* ***"Miscellaneous Documents,"*** *section of the casebook.*